

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JONATHAN ALLEN,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

NO: 13-CV-0321-TOR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF No. 27). The parties have agreed that this case should be reversed and remanded for further administrative proceedings regarding Plaintiff's application for disability benefits under Title II of the Social Security Act. On remand, the ALJ shall hold a *de novo* hearing, and Plaintiff may raise any issue and submit additional evidence in support of his claim. Upon remand, the Administrative Law Judge should provide the claimant with an opportunity to submit additional evidence; if warranted and available, obtain evidence from a medical expert

1 regarding the nature and severity of the claimant's impairments; reconsider the  
2 claimant's residual functional capacity, and in so doing, further evaluate the VA  
3 disability rating and lay witness evidence pursuant to Social Security Ruling 06-  
4 03p; seek supplemental vocational expert testimony, if warranted, to determine  
5 whether there are a significant number of jobs in the national economy that the  
6 claimant can perform; give the claimant an opportunity for a hearing; and issue a  
7 new decision.

8 This case is reversed and remanded pursuant to sentence four of 42 U.S.C. §  
9 405(g). Upon proper presentation, this Court will consider an application for costs  
10 and attorney fees pursuant to 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

11 **IT IS HEREBY ORDERED:**

12 1. The Parties' Stipulated Motion for Remand (ECF No. 19) is **GRANTED**.

13 This case is **REVERSED** and **REMANDED** pursuant to sentence four  
14 of 42 U.S.C. § 405(g) for further administrative proceedings.

15 2. Plaintiff's Motion for Summary Judgment (ECF No. 23) is **DENIED** as  
16 moot.

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1 The District Court Executive is hereby directed to file this Order, provide  
2 copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

3 **DATED** May 23, 2014.



*Thomas O. Rice*  
THOMAS O. RICE  
United States District Judge